



Comptroller General
of the United States

34351

Washington, D.C. 20548

Decision

Matter of: Laro Service Systems, Inc.

File: B-256616.4

Date: January 5, 1995

DECISION

Laro Service Systems, Inc. protests the award of a contract to Ogden Allied Eastern States Maintenance Corp. by the General Services Administration, Public Buildings Service, under request for proposals No. GS-02P-93-CTC-0088 for building mechanical systems maintenance services.


We dismiss the protest because the protester failed to file its comments on the agency report within 10 working days after the report due date, as required by our Bid Protest Regulations, 4 C.F.R. § 21.3(j) (1994).

The agency's administrative report submitted in response to Laro's protest was due on December 14, 1994. In its December 14 letter requesting the issuance of a protective order (a request which was denied), the protester stated that it had received the agency report on December 14. The protester's comments to the agency report were therefore due in our Office no later than December 29. However, we did not receive Laro's comments, which were dated December 29, until December 30, and no extension of the due date was requested or granted.

The above identified protester has failed to file its comments on the agency report within 10 working days after the report due date, as required by our Bid Protest Regulations, 4 C.F.R. § 21.3(j). The filing deadlines in our Regulations are prescribed under the authority of the Competition in Contracting Act of 1984; their purpose is to enable us to comply with the statute's mandate that we resolve protests expeditiously. See 31 U.S.C. § 3554(a) (1988); Green Mgmt. Corp.--Recon., B-233598.2, Feb. 27, 1989, 89-1 CPD ¶ 208. To avoid delay in the resolution of protests, our Regulations provide that a protester's failure to file comments within 10 working days, or to file a request that the protest be decided on the existing record, or to request an extension of the time for submitting comments, will result in dismissal of the protest. 4 C.F.R. § 21.3(j); Prio-Leau Culinary Servs., Inc.--Recon., B-236373.6, Jan. 23, 1990, 90-1 CPD ¶ 90. But for this

provision, a protester could idly await receipt of the report for an indefinite time, to the detriment of the protest system and our ability to resolve the protest expeditiously. Id. We have therefore closed this file without further action.

The protest is dismissed.


James A. Spangenberg
Assistant General Counsel